

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
Sonal N. Mehta (CA Bar No. 222086)  
[sonal.mehta@wilmerhale.com](mailto:sonal.mehta@wilmerhale.com)  
2600 El Camino Real, Suite 400  
Palo Alto, CA 94306  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
Joseph Taylor Gooch (CA Bar No. 294282)  
[taylor.gooch@wilmerhale.com](mailto:taylor.gooch@wilmerhale.com)  
1 Front Street, Suite 3500  
San Francisco, CA 94111  
Telephone: (628) 235-1002  
Facsimile: (628) 235-1001

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
Amanda L. Major (*pro hac vice*)  
amanda.major@wilmerhale.com  
1875 Pennsylvania Ave., NW  
Washington, DC 20006  
Telephone: (202) 663-6000  
Facsimile: (202) 663-6363  
*Attorneys for Plaintiff Intel Corporation*

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
Annaleigh E. Curtis (*pro hac vice*)  
[annaleigh.curtis@wilmerhale.com](mailto:annaleigh.curtis@wilmerhale.com)  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

*Attorneys for Plaintiff Intel Corporation*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

INTEL CORPORATION.

**Plaintiff.**

Case No. 5:21-CV-04999-EJD

V.  
STREAMSCALE, INC.,

## Defendant

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE HEARING  
DATE AND CASE MANAGEMENT  
CONFERENCE**

Pursuant to Civil Local Rule 6-2, Plaintiff Intel Corporation (“Intel”) and Defendant StreamScale, Inc. (“StreamScale”), by and through their respective counsel, hereby request and stipulate, subject to Court approval, as follows:

WHEREAS, on August 30, 2021, StreamScale filed its Anti-SLAPP Motion Pursuant to California Code of Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3) (Dkt. 24);

1        WHEREAS, the hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code  
2 of Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3)  
3 was set for January 13, 2022 (Dkt. 32);

4        WHEREAS, on December 13, 2021, the Court entered an order continuing the January 13,  
5 2022 hearing to January 27, 2022 (Dkt. 37);

6        WHEREAS, counsel for Intel has a pre-existing conflict on January 27, 2022 that cannot be  
7 moved;

8        WHEREAS, Intel approached StreamScale to request a continuance of the hearing to a date  
9 on which counsel for both parties are available;

10      WHEREAS, StreamScale agreed to jointly approach the Court regarding a request for an  
11 alternative hearing date;

12      WHEREAS, the Court has indicated that the next available hearing date is April 14, 2022;

13      WHEREAS, the parties hereby request and stipulate, subject to Court approval, that the  
14 hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code of Civil Procedure  
15 Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P. 12(b)(3) be rescheduled from  
16 January 27, 2022 at 9:00 AM to April 14, 2022 at 9:00 AM;

17      WHEREAS, there is good cause for this request because Intel's lead counsel has a  
18 scheduling conflict on January 27, 2022;

19      WHEREAS, the parties hereby further request and stipulate, subject to Court approval, that  
20 the Case Management Conference in this matter be rescheduled from February 24, 2022 at 10 AM  
21 to May 12, 2022;

22      WHEREAS, there is good cause for this request because the hearing on the Anti-SLAPP  
23 Motion Pursuant to California Code of Civil Procedure Section 425.16, or, In the Alternative, to  
24 Dismiss Pursuant to F.R.C.P. 12(b)(3) may inform several of the issues that may be addressed at the  
25 Case Management Conference.

26      **IT IS HEREBY STIPULATED AND AGREED** by Intel and StreamScale, subject to the  
27 Court's approval:

- 1       1. The hearing on StreamScale's Anti-SLAPP Motion Pursuant to California Code of  
2           Civil Procedure Section 425.16, or, In the Alternative, to Dismiss Pursuant to F.R.C.P.  
3           12(b)(3) currently set for January 27, 2022 at 9:00 AM is continued to April 14, 2022  
4           at 9:00 AM.  
5       2. The Case Management Conference currently set for February 24, 2022 at 10 AM is  
6           continued to May 12, 2022 or later.

7 IT IS SO STIPULATED.

9 Dated: December 29, 2021

10       By: /s/ Taylor Gooch  
11           SONAL N. MEHTA  
12           AMANDA L. MAJOR  
13           JOSEPH TAYLOR GOOCH  
14           ANNALEIGH E. CURTIS  
15           WILMER CUTLER PICKERING  
16           HALE AND DORR LLP

17           *Attorneys for Plaintiff Intel Corporation*

15 Dated: December 29, 2021

16       By: /s/ Michael S. Adler  
17           *Attorneys for Defendant StreamScale,  
18           Inc.*

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
2  
3 Dated: \_\_\_\_\_  
4  
5 Honorable Edward Davila  
6 United States District Judge  
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## **SIGNATURE ATTESTATION**

I am the ECF User whose identification and password are being used to file the foregoing  
**STIPULATION AND PROPOSED ORDER TO CONTINUE HEARING DATE AND**  
**CASE MANAGEMENT CONFERENCE**, I hereby attest that the other signatories have  
concurred in this filing.

Dated: December 29, 2021

By: /s/ Taylor Gooch  
Joseph T. Gooch

## **CERTIFICATE OF SERVICE**

I hereby certify that on December 29, 2021, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

Dated: December 29, 2021

By: /s/ Taylor Gooch  
Joseph T. Gooch